

## NOTICE OF INTENT

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

Take and Possession of Apple Snails and Rio Grande Cichlids

(LAC 76:VII.199)

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend a rule to allow recreational fishers to harvest specified exotic fish with specific gears.

### TITLE 76

#### WILDLIFE AND FISHERIES

##### Par VII. Fish and other Aquatic Life

##### Chapter 1. Freshwater Sports and Commercial Fishing

##### §199. Designation and Taking of Exotic Fish

##### 1A. Exotic fish that may be sold commercially

A1. For the purposes of this Section, the following species of nonindigenous fish are designated as exotic fish:

- 1a. grass carp (*Ctenopharyngodon idella*);
- 2b. silver carp (*Hypophthalmichthys molitrix*);
- 3c. bighead carp (*Hypophthalmichthys nobilis*);
- 4d. black carp (*Mylopharyngodon piceus*).

B2. In order to promote the removal of the exotic species identified in this rule, it shall be lawful to retain as bycatch all such designated exotic species of fish which may be caught in all legal commercial fishing gear, which gear is being legally fished. While alive, such exotic fish shall not be maintained, sold, bartered, traded, or exchanged.

€3. Recreational fishers, both residents and non-residents, possessing a current license allowing for the take of freshwater species of fish, and anglers exempted from the purchase of a basic fishing license, may take silver and bighead carp (*Hypophthalmichthys molitrix* and *H. nobilis*) by means of boats, dip nets, spears and by snagging.

B. Exotic Fish that may not be sold commercially

1. For the purposes of this Section, the following species of nonindigenous fish are designated as exotic fish:

a. apple snails (*Pomacea* spp):

b. Rio Grande Cichlid (*Herichthys cyanoguttatum* formerly *Cichlasoma cyanoguttatum*)

2. In order to promote the removal of the exotic species identified in this rule, it shall be lawful to retain all such designated exotic species of fish taken by any legal method, provided that such action as necessary is taken to kill the species immediately upon capture.

3. Such exotic fish shall not be maintained, sold, bartered, traded, or exchanged.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:319.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:728 (March 2005), LR 38:

Interested persons may submit comments relative to the proposed Rule to: Robert Bourgeois, Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to: [rbourgeois@wlf.la.gov](mailto:rbourgeois@wlf.la.gov) prior to Friday, August 31, 2012.

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to, the filing of the fiscal and economic impact

statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent: This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Ann Taylor

Chairman